



Entered on Docket
April 05, 2010

A handwritten signature in black ink, reading "Bruce A. Markell", is positioned above the judge's name.

Hon. Bruce A. Markell
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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In re:)
WALT A. WALTERS,)
Debtor.)
_____)
ANDREW DONALD MURPHY; CONNIE)
MURPHY; FIRST AMERICAN TRUST FSB, as)
Trustee of the Andrew Donald Murphy IRA)
Account,)
Plaintiffs,)
vs.)
WALT A. WALTERS dba AMERICAN)
MORTGAGE COMPANY,)
Defendant.)
_____)

BK-S-09-26137-BAM
Chapter 7

Adv. Proceeding No.: 09-1353-BAM

Date: June 14, 2010
Time: 1:30 p.m.

ORDER RESCHEDULING SETTLEMENT CONFERENCE

The settlement conference currently scheduled for April 23, 2010, at 9:30 a.m. is rescheduled for **June 14, 2010, at 1:30 p.m.**, before Bankruptcy Judge John L. Peterson, in the Judges' Conference Room, located on the third floor of the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada.

All counsel of record that will be participating in the trial of this case, all parties appearing pro se, if any, and all individual parties must be present.

In the case of non-individual parties, counsel shall arrange for a representative, with binding

1 authority to settle, to be present in court for the duration of the settlement conference.

2 **Any requested exception to the attendance requirements must be submitted to the judge**
3 **assigned to the case for approval in advance of the settlement conference.**

4 **PREPARATION FOR SETTLEMENT CONFERENCE**

5 **No later than ten business days before the settlement conference, the parties shall exchange**
6 **written settlement offers. No later than seven business days before the settlement conference each**
7 **party shall submit a confidential settlement conference statement, *which will include a copy of the***
8 ***last settlement offer*, to the chambers of Judge Markell for in camera review by the settlement**
9 **conference judge. If not timely filed, sanctions may be imposed. The settlement conference statement**
10 **shall be no longer than 5 double-spaced pages. The settlement conference statement shall contain the**
11 **following:**

- 12 1. A brief statement of the nature of the action.
- 13 2. A concise summary of the evidence that supports your theory of the case, including
14 information documenting your damages claims. You may attach to your statement a limited number
15 of documents or exhibits that are especially relevant to key factual or legal issues.
- 16 3. A brief analysis of the key issues involved in the litigation.
- 17 4. A discussion of the strongest points in your case, both legal and factual, and a frank
18 discussion of the weakest points as well. The court expects you to present a candid evaluation of the
19 merits of your case.
- 20 5. A further discussion of the strongest and weakest points in your opponents' case, but
21 only if they are more than simply the converse of the weakest and strongest points in your case.
- 22 6. A history of settlement discussions, if any, which details the demands and offers which
23 have been made, and the reasons they have been rejected.
- 24 7. The settlement proposal that you believe would be fair.
- 25 8. The settlement proposal that you would honestly be willing to make in order to conclude
26 this matter and stop the expense of litigation.

1 The settlement conference statement should be delivered to chambers in an envelope clearly
2 marked "Contains Confidential Settlement Brief."

3 The purpose of the settlement conference statement is to assist the judge in preparing for and
4 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost
5 candor in responding to all of the above listed questions is required. The confidentiality of each
6 statement will be strictly maintained, and following the conference, the statements will be destroyed.

7 DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL THE
8 STATEMENT TO THE CLERK'S OFFICE.

9 **The settlement conference shall not be continued or vacated without prior approval of the**
10 **judge assigned to the case.**

11 FAILURE TO APPEAR WILL RESULT IN THE IMPOSITION OF SANCTIONS. IF THE
12 MATTER IS SETTLED BEFORE THE SETTLEMENT CONFERENCE DATE, THE PARTIES
13 MUST NOTIFY THE CALENDAR CLERK OF THE JUDGE ASSIGNED TO THE CASE SO THAT
14 THE MATTER CAN BE TAKEN OFF CALENDAR.

15 IT IS SO ORDERED.

16 Copies sent to:

17 DEAN G RALLIS on behalf of Plaintiff FIRST AMERICAN TRUST FSB,
18 drallis@sulmeyerlaw.com, agonzalez@sulmeyerlaw.com

19 SAMUEL A. SCHWARTZ on behalf of Defendant WALT WALTERS
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